

Entered - 09-24-99 - sb
CL 99L0626 ALEXIS HOLMES

01-R-1810

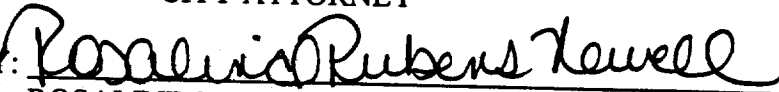
CLAIM OF: **EYECATCHER DESIGN, INC.**
C/O KERRY PICKETT, PRESIDENT
5450 Glenridge Drive, NE
Apartment 562
Atlanta, Georgia 30342-4983

For vehicular damages alleged to have been sustained as a result of driving over a large pothole in the road on July 12, 1999 at Piedmont Circle near Piedmont and Cheshire Bridge Roads.

BY PUBLIC SAFETY AND
LEGAL ADMINISTRATION COMMITTEE:

BE IT RESOLVED by the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **EYECATCHER DESIGN, INC., C/O KERRY PICKETT PRESIDENT** the sum of **\$605.22** in full settlement and satisfaction of all claims, past, present and future, of every kind and character for vehicular damages alleged to have been sustained as a result of driving over a large pothole in the road on July 12, 1999 at Piedmont Circle near Piedmont and Cheshire Bridge Roads as is more particularly set forth in the within claim; said sum taken from and charged to account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

APPROVED: SUSAN PEASE LANGFORD
CITY ATTORNEY

BY: 
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 99L0626

Date: 10/29/01

Claimant /Victim EYECATHER DESIGN, INC. C/O KERRY PICKETT, PRESIDENT
BY: (Atty)(Ins.) _____
Address: 5450 Glenridge Drive, NE Apartment 562 Atlanta, Georgia 30342-4983
Subrogation: Claim for Property damage \$ 605.22 Bodily Injury \$ _____
Date of Notice: 9/15/99 Method: Written, proper X Improper _____
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 7/12/99 Place: Piedmont Circle near Piedmont and Cheshire Bridge Roads
Department Public Works Division: Street Operations
Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: The claimant sustained damages to her vehicle after she drove over a large pothole in the road incurring damages in the above amount.

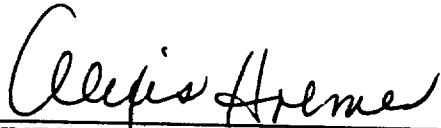
INVESTIGATION:

Statements: City employee _____ Claimant X Other X Written X Oral _____
Pictures _____ Diagrams _____ Reports: Police _____ Dept Report X Other _____
Traffic citations issued: City Driver _____ Claimant Driver _____
Citation disposition: City Driver _____ Claimant Driver _____

BASIS OF RECOMMENDATION:

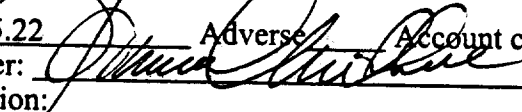
Function: Governmental _____ Ministerial X
Improper Notice _____ More than Six Months _____ Other X Damages reasonable X
City not involved _____ Offer rejected _____ Compromise settlement _____
Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces _____
Claimant Negligent _____ City Negligent X Joint _____ Claim Abandoned _____

Respectfully submitted,



INVESTIGATOR - ALEXIS HOLMES

RECOMMENDATION:

Pay \$ 605.22 Adverse _____ Account charged: 1A01 X 2J01 _____ 2H01 _____
Claims Manager:  Concur/date 11-01-01
Committee Action: _____ Council Action _____

COUNCIL OF THE CITY OF ATLANTA
MUNICIPAL CLERK
City Hall
55 Trinity Avenue, S.W.
Atlanta, Georgia 30335

RE: CLAIM FOR DAMAGES

Today's Date: 7/22/99

ENTERED 9-24-99 - SB
99L0626 - DOBBS JORDAN

Dear Municipal Clerk:

This is to notify the City of Atlanta that I have suffered damages in the amount sum of \$ 605.22 property and/or \$ 0 bodily injury for which I contend the City is liable.

1. Date of incident: 7/12/99
(month/day/year)
2. Police called: X
Yes No
3. Location of incident: Piedmont Circle near Piedmont & Cheshire Bridge
4. Name of your insurance company: Cotton States - however no insurance claim will be made. Policy No. _____
5. State what and how incident occurred: See attached.

6. ALL ESTIMATES AND DAMAGES ARE SUBJECT TO INSPECTION. THE MAKING OF FALSE CLAIMS WILL RESULT IN YOUR CLAIM BEING DENIED AND MAY RESULT IN CRIMINAL PROSECUTION!

7. The registered owner must make the claim for vehicle damages, complete the following and attach two (2) estimates of repair and proof of ownership of your vehicle (copy of the current tag receipt or title).

Your vehicle: Audi A4 1998 MWD 518 Kerry P. McGhee
(make) (year) (tag number) (driver's name)

City vehicle: _____
(make) (City driver's name) (department/bureau)

8. Witness: Brandon N. McGhee 23317 Plantation Dr. Atlanta 30324 404-898-9906
(name) (address) (telephone number)

9. The acknowledgement of this claim in no way waives the Sovereign immunity of the City of Atlanta, as granted by State law, nor is it an admission of liability on behalf of the City of Atlanta and/or its employee(s).

10. This claim should be mailed immediately to the address shown above.

I HEREBY SWEAR OR AFFIRM THAT THE ABOVE
INFORMATION IS TRUE AND CORRECT.

Kerry Pickett McGhee
(claimant's name)

23317 Plantation Drive
(address)

Atlanta GA 30324
(city and state)

404-816-3850 404-583-6700 (cell)
(work number) (home number)

Details of the Incident:

Date: Monday, July 12, 1999

Time: 5:30 p.m.

Location: Piedmont Circle, Eastbound toward Piedmont/Cheshire Bridge

Details:

After exiting 85 Northbound and taking the Piedmont Road South exit, I turned left onto Piedmont Circle heading toward Cheshire Bridge Road. I was in the right lane with two cars to my left in the left lane. As I approached the intersection with Piedmont there was an enormous hole in the road that was not visible until I was almost on top of it. With the two cars to my left, I was not able to swerve and avoid hitting it. My front right tire blew on impact. I managed to make it through the intersection and into the By Design parking lot so I could change my tire.

I took my car to Kauffman Tire on Tuesday morning and purchased a new tire and had my alignment repaired.

However, my car was still not driving well. There was a strong vibration in the steering wheel and the car was pulling right. So I was forced to take my car to the dealership where I purchased the car last year. I was informed that my right front wheel was badly bent and the car would not ride well again unless a new wheel was purchased. So I bought a new wheel.

Additionally, on Tuesday, July 13th I drove by the location of the incident and several barricades have now been placed around the hole. Obviously the city is now aware of the problem but the hole has not yet been fixed as of July 26th.

The damages to my car total \$605.22. I am not sure how the city could have let a hole of this size develop on such a main thoroughfare and I believe I need to be reimbursed for my expenses.

If you need any additional information regarding this incident, please call me at 404-816-3850. Thank you for your attention to this matter.